

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 2, 1990
7:30 P.M.

ROLL CALL

Present: Council Members - Hinchman, Olson, Reid,
Pinkerton and Snider
(Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City
Manager Glenn, Community Development
Director Schroeder, Public Works Director
Ronsko, Acting City Attorney Newton, and
Deputy City Clerk Perrin

INVOCATION The invocation was given by Pastor Con Edwards, Ebenezer
 Congregational Church

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Snider.

PRESENTATIONS

WELCOME OF GERMAN
EXCHANGE STUDENTS
WITH THE GERMAN/AMERICAN
PARTNERSHIP PROGRAM (GAPP)

The City of Lodi welcomed 17 German exchange students visiting Lodi with the German/American Partnership Program, along with their host family member. Mayor Snider presented each with a City of Lodi pin. Introducing the students were coordinating teacher Gi Gi DeBerry, and the organizer visiting from Germany, Horst Stutde. Mr. Stutde presented the Mayor with a flag from Germany representing their community.

PROCLAMATIONS

NATIONAL NURSES DAY

CC-37 Ms. Joyce Clarkson, along with fellow co-workers, accepted a proclamation proclaiming May 1, 1990 as National Nurses Day.

POLICE OFFICERS' MEMORIAL

CC-37 Dennis Lewis a representative of the Lodi Police Officers' Association accepted the proclamation for Police Officers' Memorial on behalf of the Lodi Police Department. Mr. Lethesey and Mr. Nieleey each accepted a proclamation on behalf of the two officers recently killed on duty.

Continued May 2, 1990

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Olson, Hinchman second, approved the following items hereinafter set forth. Further, items E-11, "Amend contract with Jones and Stokes Associates, Inc. for General Plan update" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar. Also, agenda item E-12, "Request of Chad B. Meyer for driveway across access restriction on West Vine Street, west of Interlaken Drive" was pulled from the agenda per the request of Mayor Snider.

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$2,486,186.18.

MINUTES No Minutes were presented for approval.

PURCHASE OF EMULSION
DISTRIBUTOR APPROVED

RES. NO. 90-62

CC-12(d) The City Council adopted Resolution No. 90-62 approving the
CC-300 purchase of the Emulsion Distributor from Nixon-Egli
Equipment Company, Hayward, California, in the amount of
\$25,732.69 and appropriated an additional \$1,987.69 from
the Equipment Fund to finance the purchase.

Funds to purchase an Emulsion Distributor were approved in the 1989-90 operating budget and specifications were approved by the City Council on March 31, 1990. Bids were opened April 11, 1990 and one bid was received.

The bidder took an exception to the delivery date of 90 days after receipt of the purchase order and the \$50 penalty charge for each day after 90 days. The City and bidder have compromised and the delivery date has changed to 120 days after receipt of the Purchase Order and the penalty charge is \$25 for each day after 120 days.

The Finance Department has verified that the additional amount of \$1,987.69 is available in the Equipment Fund.

PURCHASE OF CLASS 3
WOOD UTILITY POLES
APPROVED

RES. NO. 90-63

CC-12(d) The City Council adopted Resolution No. 90-63 awarding the
CC-300 purchase of 61 Class 3 wood utility poles to the low
bidder, McFarland-Cascade of Tacoma, Washington, in the
amount of \$19,302.54.

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On April 4, 1990, the City Council approved specifications and authorized advertisement for bids for 61 Class 3 wood utility poles. Bids were opened on April 18, 1990, with the following results:

McFarland-Cascade, Tacoma, Washington	\$19,302.54
McCormick & Baxter, Stockton	\$19,313.86
J. H. Baxter & Co., San Mateo	\$20,192.50

Poles in six lengths were included in this bid:

15 each	35-foot	10 each	50-foot
30 each	45-foot	3 each	60-foot
2 each	65-foot	1 each	70-foot

These poles would be purchased to support the Electric Utility Department's ongoing maintenance program of replacing damaged or deteriorating wood poles currently in the distribution system.

Funding for this purchase is available in the Electric Utility Department operating fund.

Delivery would be expected about six weeks following placement of the order.

FINAL MAP AND SUBDIVISION
AGREEMENT APPROVED FOR
SUNWEST 12, BOUNDED BY THE
WOODBIDGE IRRIGATION
DISTRICT CANAL ON THE EAST,
UNDEVELOPED LAND ON THE
SOUTH, FILLEY DRIVE AND
CHATEAU COURT ON THE WEST,
AND SUNWEST DRIVE ON THE
NORTH

CC-46

The City Council approved the final map for Sunwest 12 and directed the City Manager and City Clerk to execute the Subdivision Agreement and map on behalf of the City.

Chris Keszler, et al., the developers of this subdivision, have furnished the City with the improvement plans, the necessary agreements, guarantees, insurance certificates, and fees for the proposed subdivision.

The subdivision is located east of Filley Drive and Chateau Court and west of the Woodbridge Irrigation District Canal, and contains a total of 41 single-family lots.

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AGREEMENT WITH GENERAL
MILLS FOR RAILROAD
CROSSING PROTECTION
ON TURNER ROAD (CROSSING
DE-105.3) APPROVED

RES. NO. 90-64

CC-48(c) The City Council adopted Resolution No. 90-64 approving an
CC-90 agreement between the City of Lodi and General Mills for
CC-300 the recovery of City funds expended for the installation of
 railroad grade crossing warning devices at Crossing
 DE-105.3 on Turner Road, and authorized the Mayor and City
 Clerk to execute the agreement on behalf of the City of
 Lodi.

This agreement covers reimbursement to the City by General Mills for City funds expended for the installation of railroad grade crossing warning devices at the Southern Pacific Transportation Company (SPTC) spur line which crosses Turner Road between Mills Avenue and the McLane Substation. Federal funding is available to cover 90 percent of the cost of the warning device installation. The City must agree to pay the remaining 10 percent. Since General Mills is the owner and sole user of the spur line, they have agreed to reimburse the City for the portion of the grade crossing installation costs not paid by federal funds. The agreement provides the terms and conditions for payment by General Mills and outlines the City's responsibilities with regard to obtaining federal funding.

INSTALLATION OF RAILROAD
CROSSING PROTECTION FOR
GENERAL MILLS SPUR LINE ON
TURNER ROAD (CROSSING DE-105.3)
APPROVED

RES. NO. 90-65

CC-48(c) The City Council adopted Resolution No. 90-65 agreeing to
CC-90 participate in the cost of the above-grade crossing CC-300
 protection, based on the City's receiving federal funding
 and the City share not to exceed 10 percent.

This project involves the installation of railroad grade crossing protection on the Southern Pacific Transportation Company (SPTC) railroad spur line crossing Turner Road between Mills Avenue and the McLane Substation (Railroad Crossing DE-105.3). The spur crossing, which is owned and used solely by General Mills, is included in the Railroad Highway Grade Crossing Priority List of the Public Utilities Commission with automatic gates as the recommended grade crossing warning devices.

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The City can obtain 90 percent federal funding through the State of California Department of Transportation (Caltrans) for the project. The City is responsible for the remaining 10 percent. Estimates for the costs of the project will be provided by SPTC and are not available at this time. The City must agree to the 10 percent participation before Caltrans can initiate the funding process which includes requesting the SPTC estimate. A similar project on Loma Drive near Turner Road (Railroad Crossing DE-104.9) which was completed in 1988 resulted in a cost to the City of \$13,800.

AGREEMENT FOR
RIGHT-OF-WAY
ACQUISITIONS ON
SOUTH HUTCHINS STREET
APPROVED

CC-27(a)
CC-90

The City Council authorized the City Manager and City Clerk to approve the right-of-way agreement for 235 South Hutchins Street and the other agreements which will be made with property owners on Hutchins Street between Lodi Avenue and Walnut Street.

The City's right-of-way agent is negotiating with the property owners along the west side of Hutchins Street between Lodi Avenue and Walnut Street. The agreement for 235 South Hutchins Street has been signed and is on file in the City Clerk's office. The City is paying \$6,150 for the property. The City expects that the agreements for the other five parcels in this area will be signed within the next two to three weeks and recommended that the Council authorize the City Manager and City Clerk to approve these also. The prices paid for the parcels are expected to be the appraised amounts. Any deviations from the standard appraisals will be brought to the Council's attention.

MODIFICATION OF AGREEMENT
WITH SANITARY CITY DISPOSAL
COMPANY AND MUNICIPAL CODE
AMENDMENT REGARDING DELETION
OF INFECTIOUS WASTE APPROVED

ORD. NO. 1486

CC-22(b)
CC-90
CC-149

The City Council adopted an addendum to the agreement between the City of Lodi and Sanitary City Disposal Company, Inc. to relieve the company of the requirement of the collection and disposal of infectious waste in the City of Lodi, and introduced Ordinance No. 1486 amending the Municipal Code of the City of Lodi to reflect same.

Sanitary City Disposal Co., Inc. is desirous of removing itself from the business of the collection and disposal of

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infectious waste generated in the City of Lodi. Staff is in concurrence with this request. The collection and disposal of infectious waste has become a highly technical field; an operation performed by specialists. It is in the City's best interest that this activity no longer be performed by the City's contract hauler. Private sector generators of infectious waste, i.e. hospitals, doctors' offices, convalescent facilities, will be free to negotiate collection and disposal arrangements with companies specialized in this field. The market will dictate the collection and disposal costs.

AGREEMENT FOR PURCHASE
OF PROPERTY AT 217 WEST
ELM STREET APPROVED

CC-90
CC-27(a)

The City Council authorized the City Manager to execute the appropriate documents to complete the acquisition for the City of the property at 217 West Elm Street.

Consistent with the City's long-range property acquisition program in the 200 and 300 blocks on the north side of West Elm Street, staff has negotiated the purchase of the property at 217 West Elm Street owned by Harold and Marie Baker at the price of \$250,000. The amount is in accordance with City Council direction. For the foreseeable future, the property will serve to house the expansion of Fire Department operations.

It is recommended that this acquisition be funded with a loan from the Rate Stabilization Fund to be repaid in equal payments with interest over a period of five years.

ITEM PULLED FROM AGENDA

Item E-12 "Request from Chad B. Meyer for driveway across access restriction on West Vine Street, west of Interlaken Drive" was pulled from the City Council agenda at the request of Mayor Snider.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

LACK OF PLANNING IN
SOUTHERN CALIFORNIA

Council Member Olson recently attended the Annual County Council of Governments meeting and was amazed to learn how little progress Southern California has made in its

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planning. She feels the City has a lot of open space areas that it needs to protect for future needs.

INTRODUCTION OF
ACTING CITY ATTORNEY

Mayor Snider introduced Thomas Newton who was Acting City Attorney in City Attorney Bob McNatt's absence.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

NEED TO CLEAN UP
TACO BELL PROPERTY,
1000 WEST LODI AVENUE

CC-16

Eileen St. Yves, 310 South Orange Street, Lodi, informed the City Council that the old Taco Bell property at 1000 West Lodi Avenue is very filthy, and she would like to see some action to get that area cleaned up. She also advised Council of the bushes in that area causing a sight distance problem.

PUBLIC HEARINGS

Notices thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Snider called for the Public Hearing to consider:

1. The Planning Commission's recommendation that a Negative Declaration as filed by the Community Development Director be certified as adequate environmental documentation on the project known as Almond Place, a proposed 26-lot single-family residential subdivision, 2.5 acre parcel located at 428, 440 and 448 Almond Drive, Lodi
2. The Planning Commission's recommendation that the City Council rezone the 2.5 acre parcel at 428, 440 and 448 Almond Drive from R-MD, Medium Density Multiple Family Residential, to P-D, Planned Development to provide for Almond Place, a 26-lot single-family residential subdivision.

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PUBLIC HEARING REGARDING
A NEGATIVE DECLARATION AS
FILED BY THE COMMUNITY
DEVELOPMENT DIRECTOR BE
CERTIFIED AS ADEQUATE
ENVIRONMENTAL DOCUMENTATION
ON THE PROJECT KNOWN AS ALMOND
PLACE, A PROPOSED 26-LOT
SINGLE-FAMILY RESIDENTIAL
SUBDIVISION 2.5 ACRE PARCEL
LOCATED AT 428, 440 AND
448 ALMOND DRIVE

CC-53(a)

The City Council was requested to approve the certification of a Negative Declaration as filed by the Community Development Director as adequate environmental documentation on the project known as Almond Place, a proposed 26-lot, 2.5 acre single-family residential subdivision proposed for 428, 440 and 448 Almond Drive.

The City Council heard the staff report by Community Development Director Schroeder regarding the subject. J. Jeffrey Kirst and Associates have acquired the three parcels at 428, 440 and 448 Almond Drive which are zoned R-MD on which 100 plus multiple-family units could be created if the off-street parking could be accomplished. Single-family lots in a R-MD zone require 4000 square foot area.

The developers are attempting a compromise between multiple-family and single-family differences and are asking for a P-D zone that will permit 26 units on lots ranging from 2700 square feet to 2900 square feet. Each of the proposed lots will have two covered parking spaces, a driveway on which two additional cars can be parked and the development will have parking for 10 additional visitors.

The proposed project will be similar to (1) Century 22, a 22-unit development at the northeast corner of Chickadee Lane and Century Boulevard; and (2) Century Place, a 35-unit project at the northwest corner of Cherokee Lane and Century Boulevard.

Almondwood Place reduces the potential number of dwelling units and cars on Almond Drive and provides "affordable" housing.

Addressing the City Council regarding the public hearings in favor of the Almond Place development:

1. Sophia Horning, Almond Place, Lodi, California

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2. Stan Harper, 445 Almond Drive, Lodi, California
3. Lowell Flemmer, Lodi, California
4. Susan Horak, 557 Sandpiper, Lodi, California

There being no other persons wishing to address the City Council on these matters, the public portion of the hearing was closed. After a lengthy discussion by the Council and staff, on motion of Council Member Reid, Olson second, the Council approved the filing of a Negative Declaration for Almond Place by the following vote:

Ayes: Council Members - Olson, Pinkerton, Reid and Snider (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - None

PUBLIC HEARING TO CONSIDER
THE PLANNING COMMISSION'S
RECOMMENDATION THAT THE CITY
COUNCIL REZONE THE 2.5 ACRE
PARCEL AT 428, 440 AND 448
ALMOND DRIVE FROM R-MD,
MEDIUM-DENSITY MULTIPLE
FAMILY RESIDENTIAL TO P-D,
PLANNED DEVELOPMENT TO PROVIDE
FOR ALMOND PLACE, A 26-LOT
SINGLE-FAMILY RESIDENTIAL
SUBDIVISION

ORD. NO. 1487

CC-52(a)
CC-149

On motion of Council Member Olson, Reid second, the City Council introduced Ordinance No. 1487 rezoning the 2.5 acre parcel at 428, 440 and 448 Almond Drive from R-MD, Medium Density Multiple Family Residential to P-D(28), Planned Development District No. 28 to accommodate Almondwood Place, a proposed 26-lot single-family residential subdivision. The motion passed by the following vote:

Ayes: Council Members - Olson, Pinkerton, Reid and Snider (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - None

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PLANNING COMMISSION City Manager Peterson presented the following Planning
REPORT Commission Report of the Planning Commission Meeting of
April 23, 1990:

CC-35

ITEMS OF INTEREST

The Planning Commission -

1. Denied the request of Larry Anderson on behalf of Lodi Development for a Use Permit to construct a senior apartment project containing 51 - one bedroom apartments to be located at 217 North School Street in an area zoned C-2, General Commercial.

The Planning Commission denied the Use Permit because of the need for Zoning Variances to reduce the off-street parking and setback requirements to accommodate the project as proposed.
2. Took no action on the requests of Larry Anderson on behalf of Lodi Development for the following Zoning Variances at 217 North School Street:
 - a. reduce the number of off-street parking stalls from 51 spaces to 44 spaces;
 - b. reduce the front yard setback on Lockeford Street from 20 feet to 13 feet;
 - c. reduce the required setback between the alley property line (south property line) and the rear of the parking stalls from 5 feet to 0 feet.
3. Certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation of the above Use Permit and Zoning Variance requests.
4. Extended until February, 1991 the Use Permit of Tiger Lines Inc. for a temporary portable office at 927 Black Diamond Way in an area zoned M-2, Heavy Industrial.
5. Continued until May 14, 1990 consideration of the request of Greg Tcherkoyan on behalf Moss & Craig for a Variance to increase the permitted sign area at 1420 West Kettleman Lane in an area zoned C-S, Commercial Shopping.
6. Set a public hearing for May 14, 1990 to consider recommending Zoning Ordinance Amendments concerning detached accessory buildings.

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7. Recommended that the San Joaquin County Planning Commission approved the request of Cherokee Memorial Park for a Use Permit to expand an existing cemetery by 24.6 acres and a 4-phase building project at 13951 North Beckman Road in an area zoned GA-40, General Agriculture.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c) The City Council on motion of Council Member Reid, Hinchman second, rejected the following claims and referred each to Insurance Consulting Associates, Inc., the City's Contract Administrator:

- a) Zora Fischer, Date of loss, 1/17/90
- b) Estella Chavez, Date of loss, 10/15/89

LETTER FROM DOCTORS
HOSPITAL OF LODI
ADVISING OF ITS INTENT
TO CLOSE

CC-120 The Deputy City Clerk read a letter to the City Council regarding Doctors Hospital's intent to close the hospital on or after May 29, 1990, which is filed under the Worker Adjustment and Retraining Notification Act of 1988.

REMINDER TO REGISTER
TO VOTE FOR THE
JUNE 5, 1990 DIRECT
PRIMARY ELECTION

CC-18 The Deputy City Clerk reminded the community that the last day to register to vote for the June 5, 1990 direct primary election is May 7, 1990. Registration cards are available at City Hall and at the Library.

PACIFIC GAS AND ELECTRIC'S
NOTICE TO ADJUST ITS
ELECTRIC RATES EFFECTIVE
NOVEMBER 1, 1990

CC-7(f) The City Council was informed of a Notice of Application of Pacific Gas and Electric Company for authority to adjust its electric rates effective November 1, 1990 as follows:

"The requested rate adjustment would increase electric revenues overall by approximately \$544.5 million or approximately 8.4% above the level in effect on January 1, 1990. The increase is needed to amortize an undercollection in the electric cost balancing account, and to pay for increased fuel and purchased-power costs which

PG&E expects to incur from November 1, 1990 to October 31, 1991."

ITEM UNDER COMMUNICATIONS
ADDED TO AGENDA

LETTER FROM RAE NEEL
REGARDING CITY CAB COMPANY

CC-33 Assistant City Manager Glenn read the following letter from
CC-50(b) Rae Neel, owner of City Cab Company, informing the City Council of serious financial problems the company is suffering and his wish to discontinue City Cab.

Attached to this letter is the Operating Statement (Exhibit "A") for Dial-A-Ride and City Cab Co., for the first three months of this year. As shown on this statement, the Cab Co. is operating at a loss that can no longer be off set by the profits made by the Dial-A-Ride program.

I therefore request your permission to immediately discontinue the City Cab service but, to continue operating the Dial-A-Ride program as I have in the past using the existing facilities, radios and dispatchers.

For your further information, I have also attached a projected monthly operating statement for the Dial-A-Ride program (Exhibit "B")

Raymond A. Neel

REGULAR CALENDAR

SITE OBSTRUCTION
ORDINANCE NOT SET FOR
FUTURE AGENDA

CC-6 At the "Shirtsleeve" session of Tuesday, April 17, 1990,
CC-48(a) the City Council reviewed the topics of commercial vehicle
CC-7(f) parking in residential zones and sight obstruction problems related most specifically to the parking in driveways of over height vehicles. At that meeting there did not appear to be a significant amount of interest in pursuing the matter of commercial vehicle parking. With regard to this issue of sight obstruction caused primarily by the parking of over height vehicles, staff was directed to place the matter on a future City Council agenda. Since that meeting, staff has received considerable public input regarding this matter. This response has been sufficiently high to indicate that continued discussion will produce significant controversy. At this point, staff requested direction as to the date at which the City Council would like this to appear on a future agenda if there was a consensus to proceed.

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After a lengthy discussion involving the City Council, staff and the public, the Council, on motion of Council Member Pinkerton, Hinchman second, voted to set the Site Obstruction Ordinance on a future agenda as follows:

Ayes: Council Members - Pinkerton

Noes: Council Members - Hinchman, Olson, Reid and Snider (Mayor)

Absent: Council Members - None

Therefore, this ordinance will not be on a future City Council agenda.

RECESS

Mayor Snider called for a ten minute recess and the City Council reconvened at approximately 9:27 p.m.

APPROVED THE PROJECTED
USE OF FUNDS FOR THE
COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM FOR
THE FISCAL YEAR 1990-91

CC-55

The matter was introduced by Associate Planner Dean Peckham who advised the City Council that the City's expected Community Development Block Grant (CDBG) allocation for Fiscal Year 1990-91 is approximately \$338,640, \$11,906 less than that received last year. This allocation amount plus \$6,000 in unused funds from previous program years combine for a total of \$344,640 in available CDBG funds.

Staff recommended allocations to the following projects:

HALE PARK IMPROVEMENTS, PHASE II

This is a continuation of the 1989-90 project which was approved by City Council April 5, 1989. This project provides basketball, volleyball and tennis courts, an exercise area, an equipment storage area, picnic and recreation facilities which is located in an area that is predominately low and moderate income. Presently, the only facilities at the park are two tennis courts.

In order to expedite the completion of the park, staff recommends that funds targeted for the FY 89-90 Hale Park Parking Lot Expansion be used for the general park improvements. This will enable the majority of the general park improvements to be completed by Fall of 1991. The balance of the improvements, (lighting and resurfacing of the tennis and basketball courts and the parking lot expansion) will be completed utilizing FY 1991-92 funding.

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BLAKELY PARK RESTROOM RENOVATION

Provides for the renovation of badly deteriorated restrooms in order to provide handicap accessibility.

LOW/MODERATE INCOME AND SENIOR TRANSPORTATION SERVICES

This Program would provide travel vouchers to the Lodi Service Center located at 860 East Pine Street to meet the needs of Lodi's low/moderate income and senior citizens utilizing the local Dial-A-Ride service. CDBG funding would enable qualified individuals to lead less restrictive/isolated lives and participate more fully in the services of the City.

PUBLIC SAFETY PROGRAM

This program involves the striping of alleys within the target area (Lockeford to Kettleman, SPRR to Cherokee) and the preparation and distribution of a bilingual publication informing the residents of the program and the timing of the activities. This program has been proposed because of the high number of vehicles being parked in the alleys, creating a life safety hazard due to limited access.

HOUSING REHABILITATION

This existing program provides no or low-interest amortized and deferred loans for the low and moderate income homeowners on the East Side to fix up their homes.

CODE ENFORCEMENT

Provides for a part-time Code Enforcement Officer who works to arrest the decline of certain eligible areas in the City, particularly the east side. Enforcement activities include nuisance abatement, housing inspections and zoning enforcement.

FAIR HOUSING COUNSELING

Provides fair housing counseling and referral services to City residents in order to eliminate discrimination in the provision of housing and to promote greater choice in housing opportunities.

ADMINISTRATION

Grant Administration involves the overall project management, coordination and monitoring of activities funded under the CDBG Program. These activities include:

1. Providing local officials and citizens with information about the program;

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2. Preparing program budgets and schedules, and amendments thereto;
3. Developing systems for assuring compliance with program requirements;
4. Developing interagency agreements and agreements with subrecipients and contractors to carry out program activities;
5. Monitoring program activities for progress and compliance with program requirements;
6. Preparing reports and other documents related to the program for submission to HUD;
7. Coordinating the resolution of audit and monitoring findings;
8. Evaluating program results against stated objectives; and
9. Managing or supervising persons.

The City Council, on motion of Council Member Pinkerton, Hinchman second, unanimously approved the projected use of Community Development Block Grant Program funds for the Fiscal Year 1990-91 as heretofore set forth.

ITEM REMOVED FROM
CONSENT CALENDAR AND
PLACED ON REGULAR CALENDAR

AMENDED CONTRACT WITH
JONES AND STOKES
ASSOCIATES, INC. FOR
GENERAL PLAN UPDATE

CC-35(a)
CC-90

This agenda item was introduced by staff who advised the City Council that the following outline of work done beyond the original contract, by Jones and Stokes Associates, Inc., is the Consultants' justification for a requested increase. The Community Development Director has reviewed this data with Ron Bass and Debra Loh and feels the request is justified.

Phase I and II: Project Initiation and Issue Identification

- | | |
|---|---|
| o | Extensive data to collect and effort to compile survey results. |
|---|---|

Phase III: Data Collection and Analysis (Background Report)

- o Discrepancies, gaps and inaccuracies in land use database.
- o Extensive comments from the City of Lodi Public Works Department.

Phase IV: Identification and Screening of Plan Options

- o Additional database discrepancies.
- o Attendance at extra meetings with the City.
- o Preparation of five versions of the Draft General Plan Options Report due to
 - changing assumptions,
 - reanalysis,
 - preparation of new maps for the existing General Plan and three land use options,
 - revision of buildout calculations, and
 - preparation of annualized projections for existing General Plan and two land use options.
- o Preparation of critical issues summary.
- o Coordination of new base maps.

In addition to the above, the management time necessary to coordinate with the City's engineering consultants as well as with the Public Works Department has been far greater than anticipated. This coordination effort was not a budgeted item in our contract with Jones and Stokes Associates, Inc..

Finally, the length of time necessary to complete the first four phases of the General Plan effort has been considerably longer than originally anticipated. This has resulted in additional cost due to the cost of living increase applied to our billing rates.

Following discussion, with questions directed to staff and the consultants from Jones and Stokes, Council on motion of Mayor Pro Tempore Hinchman, Reid second, approved the requested \$67,231 increase in project costs for Jones and Stokes as follows:

Ayes: Council Members - Hinchman, Olson, Reid and
Snider (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

APPROVED AUTHORIZATION
FOR SELF-INSURING OF
CITY'S LONG-TERM
DISABILITY PROGRAM

RES. NO. 90-66-A

CC-21(c)
CC-21.1(h)
CC-300

The City Council was advised that the City currently pays a premium of 1.01% of payroll for long-term disability insurance coverage for non-public safety employees to Standard Insurance of Oregon. This level of coverage provides two-thirds of the first \$2,250 of an employee's gross monthly earnings and one-half of the next one thousand earned per month (a maximum total benefit of \$2,000 per month). While the City of Lodi self-insures and self-administers the first two years of coverage, continuing cases are turned over to Standard Insurance, which administers and indemnifies claims thereafter.

Since most long-term disability insurance claims are of only a short duration, the majority of program expenses are being directly paid by the City of Lodi and not Standard Insurance, even though we are paying approximately \$6,100 per month to Standard Insurance for coverage. Our claims history indicates that we have had only five claims in calendar year 1988, five claims in 1989, and no claims in 1990 to date. Only two of these claims, both in early 1988, were referred to Standard Insurance for a continuation of coverage. Also, City of Lodi claims expenses for 1989 and 1990 to date have only been \$13,351 while we have paid \$91,313 in long-term disability insurance premiums to Standard Insurance.

Currently there is only one long-term disability claim being handled by the City of Lodi. However, it will be another year and one-half before this claim would be referred to Standard Insurance for continuation. Hence, Standard Insurance will not incur any additional benefit expenses during the next one and one-half years since no new City of Lodi claims will be eligible for coverage.

Given our excellent claims record and low rate of self-insured benefit expenses, it would be prudent to self-insure the long-term disability program. This would be carried out by continuing to fund the long-term disability program at the 1.01% of payroll level and build up a fund excess to cover benefit costs. At current rates

this would provide over \$73,000 per year to fund the long-term disability program. We would proceed by maintaining the long-term disability program in its current form, which would include referrals for vocational rehabilitation following two years of disability in order to assist employees in returning to employment as soon as possible. Due to our low case load, the City would also continue to self-administer its own claims. This would also be beneficial in terms of minimizing program costs.

Another advantage of self-insuring is that it could provide protection against sudden premium increases, which have occurred before and resulted in the City increasing its self-insured period from one-half year to two years. Although the City could potentially face a higher volume of claims, the risk is balanced by the benefit maximum of \$2,000 per month for each disabled employee and the fact that benefits are offset by workers' compensation temporary disability, sick leave, and Public Employees Retirement System (PERS) retirement benefits.

The City has discussed this with its agent of record, William McCormack of Delta Benefit Plans, and he regards this as a prudent action.

On motion of Council Member Reid, Hinchman second, the City Council unanimously approved self-insuring of the City's long-term disability program.

ADJOURNMENT TO THE
LODI PUBLIC IMPROVEMENT
CORPORATION MEETING

RES. NO. 90-1
RES. NO. 90-2

CC-190

The Lodi Public Improvement Corporation conducted its annual meeting for the purpose of addressing the items on the following agenda.

1. Call to Order - President John R. (Randy) Snider
2. Roll Call - Recorded by Secretary Alice M. Reimche
3. Amend Resolution No. 88-3 as to date of Annual Meeting (Resolution 90-1)
4. Amend Lodi Public Improvement Corporation Bylaws Section 5.4 thereby deleting the requirement for an annual audit (Resolution No. 90-2)
5. Other Business
6. Adjournment

RECONVENED CITY
COUNCIL MEETING

Following the meeting of the Lodi Public Improvement Corporation, the City Council reconvened its meeting at approximately 10:19 p.m.

ORDINANCES

AN ORDINANCE OF THE
LODI CITY COUNCIL
REPEALING LODI MUNICIPAL
CODE SECTION 17.03.290
DEFINING HOME OCCUPATION
AND REENACTING SAME, AND
ADDING TO TITLE 17 - ZONING,
A NEW CHAPTER 17.08 RELATING
TO HOME OCCUPATION PERMITS

ORD. NO. 1484

CC-53(a)
CC-149

Ordinance No. 1484 entitled, "An Ordinance of the Lodi City Council Repealing Lodi Municipal Code Section 17.03.290 Defining "Home Occupation" and Reenacting Same, and Adding to Title 17 - Zoning, a New Chapter 17.08 Relating to Home Occupation Permits" having been introduced at a regular meeting of the Lodi City Council held April 18, 1990 was brought up for passage on motion of Council Member Reid, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton,
Reid and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

AN ORDINANCE OF THE
LODI CITY COUNCIL
AMENDING LODI MUNICIPAL
CODE SECTIONS 6.04.030,
6.08.160 AND 12.12.020
RELATING TO DOMESTIC
ANIMALS IN PARKS

ORD. NO. 1485

CC-65
CC-149

Ordinance No. 1485 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Sections 6.04.030, 6.08.160 and 12.12.020 Relating to Domestic Animals in Parks" having been introduced at a regular meeting of the Lodi City Council held April 18, 1990 was brought up for

passage on motion of Council Member Reid, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton,
Reid and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

CLOSED SESSION

At approximately 10:20 p.m., the City Council adjourned to Closed Session regarding:

1. Possible Litigation - Cloves H. Lee, Alberta Lee, and Duste Lee vs City of Lodi.
2. Possible Litigation - Sadie Jauch vs City of Lodi

PROPOSED LITIGATION -
CLOVES H. LEE, ALBERTA
LEE, AND DUSTE LEE
VS CITY OF LODI AND
SADIE JAUCH VS CITY OF
LODI


CC-200(d)

Upon returning to Open Session, the City Council, on motion of Council Member Pinkerton, Hinchman second, unanimously authorized the City Attorney to negotiate settlements on the claims heretofore listed.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Snider adjourned the meeting at approximately 10:30 p.m.

ATTEST:


Jennifer M. Perrin
Deputy City Clerk